



MINUTES OF THE MEETING
May 7, 2012

RHODE ISLAND BOARD OF GOVERNORS FOR HIGHER EDUCATION

A regular meeting of the Rhode Island Board of Governors for Higher Education was held on Monday, May 7, 2012, at the Community College of Rhode Island, Warwick, Rhode Island. Chair Lorne Adrain declared a quorum present and called the meeting to order at 5:38 p.m.

Present: Lorne Adrain, Joan Abrams, Antonio Barajas, Amy Beretta, Tessa Constant, William Maaia, Eva-Marie Mancuso, Thomas Rockett, Jane Sherman, Michael Tikoian, John Walsh and Joseph White

Absent: George Caruolo

1. ACCEPTANCE OF THE AGENDA

On a motion duly made by John Walsh and seconded by Jane Sherman it was

VOTED:	That	the Board of Governors for Higher Education accepts the agenda for the May 7, 2012 meeting with the following amendments:
	That	Item No. 5, Open Forum, moved to immediately follow Item No. 11, Unfinished Business; and
	That	Item No. 8, BOG Committee Reports, be amended to include only Item No. 8(a)(1), Academic and Student Affairs, Approval of a Proposal from MKG Beauty and Business, LLD; and
	That	The Board forgo Item No. 10, Presidents' Reports for this evening.
	Vote:	12 members voted in the affirmative and 0 members voted in the negative as follows:
	YEAS:	Lorne Adrain, Joan Abrams, Antonio Barajas, Amy Beretta, Tessa Constant, William Maaia, Eva-Marie Mancuso, Thomas Rockett, Jane Sherman, Michael Tikoian, John Walsh and Joseph White
	NAYS:	0

2. APPROVAL OF THE MINUTES

On a motion duly made by Thomas Rockett and seconded by Antonio Barajas it was

VOTED:

THAT the Board of Governors for Higher Education approves the minutes of the March 19, 2012 meeting.

Vote: 12 members voted in the affirmative and 0 members voted in the negative as follows:

YEAS: Lorne Adrain, Joan Abrams, Antonio Barajas, Amy Beretta, Tessa Constant, William Maaia, Eva-Marie Mancuso, Thomas Rockett, Jane Sherman, Michael Tikoian, John Walsh and Joseph White

NAYS: 0

On a motion duly made by Tessa Constant and seconded by Thomas Rockett it was

VOTED:

THAT the Board of Governors for Higher Education approves the revised minutes of the September 26, 2011 meeting.

Vote: 12 members voted in the affirmative and 0 members voted in the negative as follows:

YEAS: Lorne Adrain, Joan Abrams, Antonio Barajas, Amy Beretta, Tessa Constant, William Maaia, Eva-Marie Mancuso, Thomas Rockett, Jane Sherman, Michael Tikoian, John Walsh and Joseph White

NAYS: 0

3. COMMUNICATIONS/ANNOUNCEMENTS

None.

4. REPORT OF THE CHAIR

Chair Adrain thanked President Di Pasquale and the College for hosting tonight's meeting. He welcomed everyone in the community to the meeting and thanked them for their interest in the Board's work.

5. OPEN FORUM (Moved to after Item 11, Unfinished Business)

6. REPORT OF THE COMMISSIONER

Commissioner Di Pasquale did not present a report.

7. NEW BUSINESS

a. Recommendation for a Three-Year External Audit Contract for Independent Certified Public Accountants

Associate Commissioner Susan LaPanne explained that the Board of Governors hires an external auditor to perform an external audit for the three institutions of public higher education. The current external audit contract is up this year, and it went out to bid. Seven bidders supplied a bid for services and the search committee met to determine which of those seven audit firms offered the system of public higher education the most qualified services at the most economical price. After considerable analysis, the recommendation of the search committee was to award the contract for the three fiscal years beginning June 30, 2012, and ending June 30, 2014 to O'Connor & Drew, P.C. They have superlative recommendations including internal recommendations, and we chose to renew their contract. Their bid was significantly competitive, falling within \$3,000 of the lowest bidders that were qualified. O'Connor & Drew has completed extensive and excellent audits for the Board in the past three years.

On a motion made by Michael Tikoian and seconded by Eva-Marie Mancuso it was

VOTED:

(Item 7a)	THAT	the Rhode Island Board of Governors for Higher Education approves the recommendation that a three-year audit contract be awarded to O'Connor and Drew, P.C. for the fiscal years ending June 30, 2012, 2013, and 2014.
		and further,
	THAT	the award be subject to review and approval by the Department of Administration and the State Auditor General as required by state statute.
	Vote:	11 members voted in the affirmative and 1 members voted in the negative as follows:
	YEAS:	Lorne Adrain, Joan Abrams, Antonio Barajas, Amy Beretta, William Maaia, Eva-Marie Mancuso, Thomas Rockett, Jane Sherman, Michael Tikoian, John Walsh, Joseph White
	NAYS:	Tessa Constant

b. Approval of the Naming of the Art Center on the Rhode Island College Campus.

The renovation of the present Art Center at Rhode Island College has been in the making for quite some time. It was made possible by a \$17,000,000 bond a few years ago and the building is now ready to be named. There have been discussions with the owner and the Chief Operating Officer of Alex and Ani, and the company has signed an agreement to pay a million dollars over a 10-year period. President Carriuolo feels that Alex and Ani is an appropriate company to be given the naming rights on this particular building. Alex and Ani is one of the fastest growing businesses in the jewelry industry. They are an international company and are headquartered in Cranston, Rhode Island. President Carriuolo requested authorization to name the Art Center located on the Rhode Island College campus in honor of Alex and Ani, Inc.

In response to an inquiry from Governor White, President Carriuolo added that there is a signed agreement that has been reviewed by counsel. The agreement would allow either party to remove themselves from the agreement should certain representations and warranties made not be met.

Chair Adrain asked whether there was a duration period allowed for the name to remain on the building. President Carriuolo responded that she does not believe there is a duration, and that the policy that is usually followed with these namings is that as long as the building remains standing, the name remains on it. Should it be renovated, it could be renamed.

Once approved by the Board, President Carriuolo indicated the request would be brought before the legislature with a request for approval as well.

On a motion made by Eva-Marie Mancuso and seconded by Antonio Barajas it was

VOTED:

(Item 8a2)	THAT	the Rhode Island Board of Governors for Higher Education authorizes the naming of the Art Center at Rhode Island College as the Alex and Ani Hall, and further
	THAT	Rhode Island College, on behalf of the Board of Governors, will submit this recommendation to the appropriate committee of the General Assembly.
	Vote:	11 members voted in the affirmative, and 1 members voted in the negative as follows:
	YEAS:	Lorne Adrain, Joan Abrams, Antonio Barajas, Amy Beretta, Tessa Constant, William Maaia, Eva-Marie Mancuso, Thomas Rockett, Jane Sherman, Michael Tikoian, and Joseph White
	NAYS:	John Walsh

8. BOG COMMITTEE REPORTS and RELATED CONSENT AGENDA

a. Academic and Student Affairs

1. Approval of a Proposal from MKG Beauty and Business, LLC to Operate Aveda Institute – Rhode Island as a Proprietary School in Rhode Island

At its most recent meeting, the Academic and Student Affairs Committee heard a proposal from the Aveda Institute, brought forward by Michael and Nina Galvin, to operate Aveda Institute – Rhode Island. The goal is to train entrepreneurs in the professional beauty, skin care, and nail care industries. The Galvins have worked closely with Office of Higher Education staff to make sure their school is in compliance with financial and faculty obligations. The Committee was impressed with the proposal and the testimony of the Galvins, and recommends that the Board grant initial approval to MKG Beauty and Business, LLC to operate Aveda Institute – Rhode Island as a proprietary school in Rhode Island.

Governor Beretta asked what the next step would be after the initial approval.

Associate Commissioner Deborah Grossman-Garber explained that the initial approval is awarded for one year. The school will then be re-examined and final approval may be awarded.

Governor White questioned the \$10,000 bond requirement. He felt the amount seemed low.

Associate Commissioner Grossman-Garber indicated that the bond is meant to ensure that students will be refunded their tuition should the school default in any way. The first-year student deposits will be kept very low and the bond will be recalculated at the end of the year.

Associate Commissioner Susan LaPanne added that the bond also covers the liability of prepaid tuition that students will give to the Institute in case that the entire program is not delivered to the students. In the first year, the Galvins are suggesting that they will be offering a payment plan that will be virtually a pay-as-you-go situation, so student deposits in the first year are anticipated to be relatively low. The bond primarily covers pre-payments of tuition and ensures those refunds should that become necessary.

On a motion made by John Walsh and seconded by Tessa Constant it was

VOTED:

(Item 8a1)	THAT	the Rhode Island Board of Governors for Higher Education grants initial approval for MKG Beauty and Business LLC to operate Aveda Institute – Rhode Island as a proprietary school in Rhode Island.
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Vote:	12 members voted in the affirmative and 0 members voted in the negative as follows:
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YEAS: Lorne Adrain, Joan Abrams, Antonio Barajas, Amy Beretta, Tessa Constant, William Maaia, Eva-Marie Mancuso, Thomas Rockett, Jane Sherman, Michael Tikoian, John Walsh, Joseph White

NAYS: 0

As per the Board's Amended Agenda, Items 8a2, 8b, 8c, 8d, 8e and 8f were deferred.

9. ADDITIONAL CONSENT AGENDA

Chair Adrain indicated that there are five items on today's consent agenda:

a. Approval of Awarding of Degrees at the University of Rhode Island

On a motion made by Jane Sherman and seconded by Amy Beretta it was

VOTED:

(Item 9a) THAT the Board of Governors for Higher Education approves the awarding of undergraduate and graduate degrees at the University of Rhode Island to the candidates who will have completed their requirements at the conclusion of the spring 2012 semester and who will be approved by the faculty of the University of Rhode Island.

Vote: 12 members voted in the affirmative and 0 members voted in the negative as follows:

YEAS: Lorne Adrain, Joan Abrams, Antonio Barajas, Amy Beretta, Tessa Constant, William Maaia, Eva-Marie Mancuso, Thomas Rockett, Jane Sherman, Michael Tikoian, John Walsh, and Joseph White

NAYS: 0

b. Approval of the Awarding of Degrees by RIC

On a motion made by John Walsh and seconded by Amy Beretta it was

VOTED:

(Item 9b) THAT the Board of Governors for Higher Education approves the

awarding of undergraduate and advanced degrees to the candidates who meet degree requirements at the end of the spring 2012 semester at Rhode Island College.

Vote: 12 members voted in the affirmative and 0 members voted in the negative as follows:

YEAS: Lorne Adrain, Joan Abrams, Antonio Barajas, Amy Beretta, Tessa Constant, William Maaia, Eva-Marie Mancuso, Thomas Rockett, Jane Sherman, Michael Tikoian, John Walsh, and Joseph White

NAYS: 0

c. Approval of the Awarding of Degrees by CCRI

On a motion made by Jane Sherman and seconded by John Walsh it was

VOTED:

(Item 9c) THAT the Board of Governors for Higher Education approves the awarding of appropriate degrees, diplomas and certificates to the candidates in satisfactory compliance of the prerequisites of the Community College of Rhode Island at Commencement Exercises on May 18, 2012.

Vote: 12 members voted in the affirmative and 0 members voted in the negative as follows:

YEAS: Lorne Adrain, Joan Abrams, Antonio Barajas, Amy Beretta, Tessa Constant, William Maaia, Eva-Marie Mancuso, Thomas Rockett, Jane Sherman, Michael Tikoian, John Walsh, and Joseph White

NAYS: 0

d. Approval of the Awarding of Tenure by CCRI

President Di Pasquale indicated that the names of the individuals had been previously submitted to the Board under separate cover. All of the candidates that were up for tenure have gone through a very thorough process within the institution, being approved by their department chairs, dean, vice president and ultimately the President. He strongly recommends the approval of the candidates for tenure this evening.

Governor Rockett expressed how impressed he was with the candidates and thanked Vice President Lela Morgan for her assistance.

On a motion made by Michael Tikoian and seconded by Eva-Marie Mancuso it was

VOTED:

(Item 9d)	THAT	<p>the Board of Governors for Higher Education approves the awarding of tenure to:</p> <p><u>Effective July 1, 2012</u> Karen Corry, Assistant Professor, Nursing Jean DeCoffe, Assistant Professor, Nursing Hossiri Honore Godo-Solo, Assistant Professor, Foreign Language Amy Parks, Assistant Professor, Nursing</p> <p>Vote: 12 members voted in the affirmative and 0 members voted in the negative as follows:</p> <p>YEAS: Lorne Adrain, Joan Abrams, Antonio Barajas, Amy Beretta, Tessa Constant, William Maaia, Eva-Marie Mancuso, Thomas Rockett, Jane Sherman, Michael Tikoian, John Walsh, and Joseph White</p> <p>NAYS: 0</p>
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e. Approval of the Awarding of Tenure by RIC

President Carriuolo noted that the individuals up for tenure had passed through a very rigorous process at the College, including by her own review of them in addition to a committee and the vice president. All candidates were found to be individuals who have passed the criteria at the level held at Rhode Island College for scholarship, service, and research.

Governor Rockett added that he is proud to be associated with the individuals.

On a motion made by John Walsh and seconded by Thomas Rockett it was

VOTED:

(Item 9d)	THAT	<p>the Board of Governors for Higher Education approves the awarding of tenure to:</p> <p><u>Effective July 1, 2012 (Consequent to Promotion)</u> Murat Aydogdu, Assistant Professor, Finance Lisa Bain, Assistant Professor, Computer Information Systems Kalina Brabeck, Assistant Professor, Counseling Angelica Cardente-Vessella, Assistant Professor, Dance Shannon Dowd-Eagle, Assistant Professor, School Psychology Jill Hume Harrison, Assistant Professor, Sociology Jeanne Haser, Assistant Professor, Accounting</p>
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Martha Horn, Assistant Professor, Elementary Education
Amy Montali, Assistant Professor, Art

Effective July 1, 2013 (Tenure Only)

Suchandra Basu, Assistant Professor, Economics
Julie Urda, Assistant Professor, Management

Effective July 1, 2012 (Henry Barnard School)

Bonnie Ripstein, Assistant Professor, Henry Barnard School

Vote: 12 members voted in the affirmative and 0 members
voted in the negative as follows:

YEAS: Lorne Adrain, Joan Abrams, Antonio Barajas, Amy Beretta,
Tessa Constant, William Maaia, Eva-Marie Mancuso,
Thomas Rockett, Jane Sherman, Michael Tikoian, John
Walsh, and Joseph White

NAYS: 0

As per the Board's Amended Agenda, Item 10, Presidents' Reports, was passed.

11. UNFINISHED BUSINESS

None.

12. OPEN FORUM (Agenda Item 5)

Chair Adrain asked that anyone who had not had an opportunity to sign up earlier to sign up before the beginning of Open Forum. No one indicated that they now wished to take part in the open forum.

There were nine individuals signed up to speak in Open Forum this evening. Chair Adrain asked that each person limit their remarks to 3 minutes to allow time for everyone to speak.

Jeffrey Heiser, President of the CCRI/PSA, thanked the Board for the opportunity to discuss CCRI/PSA's tentative agreement with the Board. He stated that the CCRI/PSA has worked with the Board and the administration's representatives to produce a contract that is fair to both the union's members and to the taxpayers of the state. He noted that he feels there is a perception among many Rhode Islanders that the unions have been profiting for years at the expense of taxpayers but stated that, upon close examination, that simply is not true. Since 1996, the average raise has been 2.5%, including three years in which this union took 0% - and they are almost closing in on a fourth year. The average increase in the Consumer Price Index has been 2.4%. When you add in the increase in food and energy costs, Mr. Heiser said, the 1/10th of the one percent increase goes away. In fact, if you add increases in co-shares for health insurance, what we are left with is a pattern of declining purchasing power.

Last summer, the legislature removed longevity increases, which were the primary way the union had of keeping up with the cost of living. Unlike other unions, CCRI/PSA's members were only eligible to receive those after 10 and 20 years of service, not after 5 years as had been generally reported by the press. In the last fiscal year, there were seven members who were eligible for longevity increases, which would have totaled only \$20,000.

Thirty-Four percent of the CCRI/PSA members have their salaries paid by grant programs or third party funds, Mr. Heiser stated. Their salaries do not come from the college's budget. Ninety percent of the PSA members are not in the State's retirement system.

Mr. Heiser noted that this contract is offering a 3% increase in each of the next three years, but again, these increases will be negated by increases in health insurance co-shares and expected increases in inflation.

The Commissioner has said that he can make this contract fit within the Community College's budget. Therefore, Mr. Heiser urged the Board to approve the CCRI/PSA contract.

Tim George, President of the URI AAUP and Professor of History, spoke next, clarifying that he is addressing the Board only with respect to the AAUP, and that he is the only one authorized to speak on their behalf. The AAUP contract was concluded two months ago by negotiators for the Board and the AAUP and was ratified by the AAUP membership on March 19th. The most important thing that the Board should know is that the AAUP is willing to work closely with the University administration and with the Board of Governors to provide the best possible education. This is especially important now, during a time of change in higher education worldwide and a difficult economic environment in Rhode Island. Mr. George stated that the faculty at URI are part of the solution, not part of the problem. Indeed, it is URI faculty to whom the state turns to understand its challenges. The URI faculty also brings in research funding, \$96 million in the past fiscal year, but has lost some of the most productive faculty to greener pastures and is in danger of losing more. It is important for the Board and the citizens to know that faculty salaries are not the drivers of tuition increases. Indeed, as President Dooley said, faculty salaries at the University of Rhode Island are second lowest in New England. Salaries for assistant professors ranked at the 21st percentile nationwide, while associate professors at the 24th percentile. Improvement is necessary if we want to continue to provide a valuable education to the students and to contribute to research to advancing human knowledge and solving problems faced by the state and the world. Mr. George stated that the contract is about more than salaries. It increases faculty contributions to health insurance costs so much that it would have meant a net decrease in pay for the lowest paid faculty if adjustments were not worked out for the first year. The contract also includes a more transparent evaluation system, one that would be more consistent across the University. The AAUP has long supported reviews of the University's teaching, research, and service, and the existing system is a model for other universities. The revised system will guide us in hiring, mentoring and evaluating faculty to ensure the best possible teaching and research. The new contract is not perfect, neither side is fully satisfied, but a successful contract is not perfect; it is one both sides can live with. Mr. George stated that the AAUP will continue to work to be part of the solution. Mr. George stated that we are financially solvent, with no unfunded mandates and no post-retirement healthcare. On behalf of the AAUP, Mr. George would like the Board to approve the contract negotiated under its authority, and the AAUP would like to work together to build a partnership to strengthen our University and state.

Courtney Schmidt, President of the Graduate Assistant United and a Ph.D. candidate at the University of Rhode Island, addressed the Board with respect to ratification of the GAU tentative agreement. She stated that the graduate assistants are essential to the University. They conduct classes, work in their labs and also help out in the offices. They are integral to the mission of the University. They understand that with the fiscal times it might be a little difficult to agree to grant raises. However, she asked the Board to understand that the stipends do not come out of any other budget other than the University's operating budget. The GAU has worked with the University to make a contract agreeable to all parties. Finally, unless the graduate assistant's have summer assistantships, they are released from duty on commencement, which is next weekend. She would love to come back to them in this final week when they are doing their grading, finishing their lab work and closing down their offices to tell them that they will get the raise that they worked for, that they voted for and, frankly, that they deserve. With that, Ms. Schmidt respectfully implored the Board of Governors to ratify the GAU contract tonight.

Robert Bower, President of the PSA@RIC, explained that the PSA bargaining unit at RIC consists of 150 employees in a variety of administrative, non-teaching faculty, and technical staff positions at the college. Some examples of the many ways PSA@RIC's employees serve the College are: conducting student recruitment; offering student financial assistance; providing food and housing for students; offering counseling and advising services; implementing and maintaining computer hardware, software and networking services; enhancing campus life and campus buildings and grounds; and providing a host of other services. The union's negotiating team has been bargaining with a team representing the Board of Governors since last summer, and more recently with a coalition on the financial matters, as members of the Board know. Mr. Bower stated that PSA@RIC worked hard to reach a tentative agreement and he asked the Board to ratify it tonight. He noted that not all of the PSA members are satisfied with this agreement. Some of the staff are paid less than \$35,000 annually, so any increase in their share of health insurance premiums could mean they would owe the College money if they did not receive a pay increase to offset the increase premium costs. The PSA feels the Board of Governors' concern over pay raises at this economic climate is misguided. There are a lot of business people around this table who know that pay raises for state workers could provide the stimulus that Rhode Island needs to get the economy moving and create the jobs that will provide all Rhode Islanders with the pay that they deserve. In recent months Mr. Bower has witnessed long-time talented staff members leaving the College for more lucrative salaries at peer institutions such Bridgewater State University, or locally, at universities like Johnson & Wales and Brown University.

Rhode Island College was able to keep tuition increases to approximately 4%. In recent years under President Carriuolo's leadership, the staff and faculty have played a significant role in saving money. They have patiently worked through reorganization and have persevered while waiting for positions to be filled. Through it all, the College has maintained a high-quality learning environment for the students. Mr. Bower said that even the Governor concedes that members of PSA@RIC deserve the raises. Without annual increases to keep pace with the cost of living and having lost the payment of longevity payments last year, the union has no mechanism for pay increases unless members' job descriptions change or they oversee additional duties.

On behalf of PSA@RIC, Mr. Bower said he is asking the Board of Governors to do the right thing tonight by ratifying the agreement. It is the right thing for RIC, it is the right thing for CCRI, it is the right thing for URI and it is the right thing for the citizens of Rhode Island.

Peter Nightingale, a member of Occupy URI and affiliated with the Ad Hoc Committee, spoke next in order to defend the University.

Professor Nightingale stated that Governor Chafee has subjected himself into contract negotiations stating that 3% raise is unacceptable at a time of strained state finances. Mr. Nightingale feels that the Governor turned an 11-month process into a farce. If you take into account the increases that union members pay for healthcare, you will find that they actually slide back. This has been happening for five years and counting. Meanwhile, America's CEOs leap forward by 15% in the second year of double-digit hikes. More than a decade ago, Lehman Brothers advised their clients that they could privatize the educational system and make a lot of money in the process. This would be done by engaging in union busting, assaulting faculty tenure, and putting CEO's in charge of universities. The former CEO of URI received a 14% raise in 2008 and cashes in with a retirement incentive worth 40% of his \$183,000 faculty salary. URI's current CEO started at about 25% more than the previous one ever made. Between 2004 and 2010, Professor Nightingale said, spending on instruction and academic support at URI declined by 10% while spending on administration increased by 25%. Meanwhile, he noted, the Board of Governors justifies tuition hikes by claiming concern for quality education. He suggested that everyone call Speaker Gordon Fox and ask him to stop blocking the floor vote on Representative Maria Cimini's and Senator Joshua Miller's tax fairness bill. This bill is supported by 70% of Rhode Islanders and it would produce \$135 million in its first year alone. Under these circumstances, Professor Nightingale will vote for any job action the AAUP might propose.

Ramona Skelly, President of the CCRI Faculty Association, informed the Board that although the Faculty Association's contract is not one of the four on the agenda, the decision the Board makes tonight does affect them. Ms. Skelly was at a meeting of this Board about a year ago when the Board went into executive session to define the parameters of what would be bargained by the Board's negotiator. This person is a professional negotiator, so Ms. Skelly feels sure that the proposed agreements are within the limits that this board set. Over the past year, Ms. Skelly continued, the collective bargaining units have bargained in good faith with a reasonable expectation that these agreements would be honored. To deny approval at this time would be an act of bad faith. For a number of faculty in the Association, there would barely be any increase in wages this year, which are wiped out by the increases in the cost of healthcare. Ms. Skelly said that many are aware that the Governor is opposed to raises in these contracts. His Director of Administration, Richard Licht, said there is a concern that approval of these raises would set a precedent when the state negotiates with other unions this summer. However, Ms. Skelly said, that precedent was already set when the Governor gave three percent raises to the State Police. She feels the members of the Faculty Association are just as deserving of this raise. The legislature added workforce development to our college's mission. Yet, we do not pay enough to lure qualified individuals in areas where we could make an impact. Added to that, incoming students are woefully underprepared for college level work. The presidents of the three institutions all understand the need for qualified personnel and have adjusted their budgets to allow for reasonable increases in faculty salaries. When the legislature sets budgets for each year, some divisions repeatedly come in over budget. CCRI, RIC, URI and the Office of Higher Education all make sure they stay within their allotted budget. The offending divisions often get increases to match their needs, and higher education gets another budget cut. The cuts are reaching a point that the word "public" in public higher education is becoming a misnomer. Ms. Skelly asked all members of the Board of Governors to do the right thing tonight.

Steven Forleo, Professor of English at CCRI, spoke next, stating that he was very proud to stand before the Board this evening as a signatory to the Ad Hoc Committee to defend the University as Mr. Nightingale said as well. This is a national movement of about 600 or so professors that are fed up with the aggressive encouragement of partisan politics inside the universities and colleges. This evening, Mr. Forleo congratulates his colleagues who come in with tenure because such promotions have been under attack for many years as well. One of the guaranteed tenants in all higher education is the fully protected guarantee of the First Amendment, our right to free speech. Mr. Forleo said that he and his colleagues in academia fully realize that freedom of thought, expression and speech guides their every move through classroom lecture as well as all outside activities. He and his colleagues utilize all instruments of knowledge as they in part explore, enhance and cultivate free thinking. Mr. Forleo said his colleagues define the requirements of an educated person as do all colleges; basically, they believe critical thinking is paramount. Such perceptions motivate and guide faculty in the pursuit of debate on social, economic and also political issues. Those within academia recognize and respect that universities and colleges are truly microcosmic communities and by extension so is this governing body with us here this evening. Therefore, when Mr. Forleo or any other colleague steps before this microphone, they do so with those same integral rights intact without reservation. Mr. Forleo has stood before this board a few times, once when it courageously stood up for the Dream Act. He also passionately came before the Board of Governors and advocated for CCRI's students in their quest for no more unattainable tuition hikes. This evening, Mr. Forleo stands in solidarity with all of his colleagues here tonight and he urges the Board of Governors to act once again courageously and pass and ratify those four contracts this evening.

Robert Walsh, Executive Director of NEARI, noted that his colleagues before him have already spoken about some of the key pieces of good faith. Both teams worked hard. Both gave concessions and came to an agreement that Mr. Walsh fully hopes and expects that the Board of Governors will vote to ratify this evening. Mr. Walsh recognized that he does not like to negotiate in public, but he noted a particular point that Governor Chafee raised that what the Board does here will impact state negotiations. Mr. Walsh said Director Licht is a good negotiator, although this is his first capacity as Director of Administration. Mr. Walsh also stated that the Governor was correct; Mr. Walsh indicated that he would mention whatever result comes out of higher education and the litany of things he mentions when he and the State of Rhode Island enter into those negotiations. What Mr. Walsh did not consider was a response from the Department of Administration. He began his response by stating that the Board of Governors' employees, the vast majority, are not in the pension system which has had some controversy about the significant expenses associated with that. The faculty has not accrued longevity over the years, the professional staff employees that have accrued longevity have done so at less than half the rate of state employees, growing further and further behind. For the professional staff and faculty, there is a lot of outside money coming in. Not only the controversial tuition, and we all stand together trying to keep tuition reasonable for instate students and as Professor Nightingale mentioned, we have a bill before the legislature that intends to do just that. The agreements even have different expiration dates, and one might try to say that Mr. Walsh is trying to compare apples and oranges. After rhetorical flourishes about this deal and that deal, Mr. Walsh said, we don't talk about this deal ever again and we will get down to the comparatives that are more appropriate for state employees. His charge when he bargains throughout the state will be to get a better deal than I get from the Board of Governors. There is one overlap in the contracts in this set of negotiations, and NEARI did match the healthcare premium sharing. In summary, Mr. Walsh appreciates the Board's dilemma, but he

noted that the Board of Governors is charged to exercise its discretion and due diligence. The Board did that, and Mr. Walsh feels this is a fair deal and a deal worthy of ratification. He offered to take the heat from the Governor and implored the Board to stick to their guns and do the right thing.

Dr. Dorothy Donnelly, Professor of English at URI, also addressed the Board. Rather than speaking for the AAUP, Dr. Donnelly was speaking for herself as an employee who would be negatively impacted if this eminently reasonable and fair contract is not ratified. She recognized that she was not dressed for the occasion, but is dressed as a professor who has spent the last four days, 10 hours a day, correcting final exams. She stated that she is an excellent teacher. She has received the Teaching Excellence Award at the University and she is a national and international recognized scholar. As a state worker, she acknowledged that the funding for her salary comes from the state. She added that she, along with the over 645 other members, are giving the state its money's worth. Dr. Donnelly and her colleagues are first-rate and do their jobs very well. And they are not overpaid.

Dr. Donnelly indicated that she was extremely disappointed and surprised to hear that President Dooley has proposed that URI might get rid of the tuition waiver for employees and their dependents. To her that is like saying, here, we have 3402 more lives you can mess up...that you can steal from. Tuition waivers don't cost anything, Dr. Donnelly said, and they do not make money. It is a perk that people who are lowly paid receive to compensate them for money that they do not get. She would strongly urge that the Board of Governors not consider abolishing tuition waivers. Dr. Donnelly thanked the Board for their time.

12. EXECUTIVE SESSION

Chair Adrain indicated that he would entertain a motion to enter into executive session to discuss:

- a) discussion and approval regarding the outstanding terms of President Dooley's 2012-2015 contract pursuant to R.I.G.L. §42-46-5(a)(1). President Dooley has been notified in writing of his right to have this discussion in open session, and he has not objected to this discussion taking place in executive session;
- b) Update on collective bargaining pursuant to R.I.G.L. §42-46-5(a)(2); and
- c) Update on collective bargaining pursuant to R.I.G.L. §42-46-5(a)(2); ratification of collective bargaining agreements with the following groups:
 - (12c1) AAUP
 - (12c2) Graduate Assistants United
 - (12c3) PSA @ RIC
 - (12c4) CCRI PSA

On a motion duly made by Eva-Marie Mancuso and seconded by Thomas Rockett it was

VOTED: That the Board of Governors for Higher Education convene in

executive session pursuant to R.I.G.L. §42-46-5(a)(1)&(2)
for the reasons set forth above.

Vote: 12 members voted in the affirmative, and 0 members
voted in the negative as follows:

YEAS: Lorne Adrain, Joan Abrams, Antonio Barajas, Amy Beretta,
Tessa Constant, William Maaia, Eva-Marie Mancuso,
Thomas Rockett, Jane Sherman, Michael Tikoian, John
Walsh, and Joseph White

NAYS: 0

An individual in the audience, Ms. Gina Macris of the Providence Journal, indicated that she objected to the Board entering into executive session.

After a short break, the Board convened in Executive Session at 6:35 p.m.

All non-Board members in the audience were excused with the exception of Ray M. Di Pasquale, Commissioner and President of the Community College of Rhode Island; University of Rhode Island Provost Donald DeHayes*; Rhode Island College President Nancy Carriuolo*; Ronald Cavallaro, General Counsel for the Board; Anne Marie Coleman, Director of Labor Relations; Susan LaPanne*, Associate Commissioner for Finance & Management; Michael Trainor*, Special Assistant to the Commissioner, Deborah Grossman-Garber*, Associate Commissioner for Academic Planning and Policy, Robin Beaupre*, Assistant Commissioner for Finance & Management, Michael D. Chittick*, Esquire, Adler, Pollock & Sheehan

*individuals who did not participate in the discussion regarding the outstanding terms of President Dooley's contract and exited the room before discussion began on Item a.

The Board reconvened in open session at 9:25 p.m.

Chair Adrain noted that the Board in executive session moved to address these items out of order, last to first.

After offering an opportunity for any further questions or comments, Chair Adrain called for a vote on Items 12c(1-4).

On a motion duly made by Jane Sherman and seconded by John Walsh it was

VOTED: That the Board of Governors for Higher Education ratify the
(Item 12c1) Collective Bargaining Agreement with the AAUP.

Vote: 5 members voted in the affirmative, and 7 members
voted in the negative as follows:

YEAS: Thomas Rockett, Jane Sherman, John Walsh, Joseph White,

and Lorne Adrain

NAYS: Joan Abrams, Antonio Barajas, Amy Beretta, Tessa Constant, William Maaia, Eva-Marie Mancuso, Michael Tikoian

Chair Adrain stated the no's have it and the motion fails.

On a motion duly made by Thomas Rockett and seconded by John Walsh it was

VOTED: That the Board of Governors for Higher Education ratify the
(Item 12c2) Collective Bargaining Agreement with the Graduate Assistants United.

Vote: 6 members voted in the affirmative, and 6 members voted in the negative as follows:

YEAS: Tessa Constant, Thomas Rockett, Jane Sherman, John Walsh, Joseph White, and Lorne Adrain

NAYS: Joan Abrams, Antonio Barajas, Amy Beretta, William Maaia, Eva-Marie Mancuso, Michael Tikoian

Chair Adrain stated the vote is a tie and the motion therefore fails.

On a motion duly made by Joseph White and seconded by Jane Sherman it was

VOTED: That the Board of Governors for Higher Education ratify the
(Item 12c3) Collective Bargaining Agreement with the PSA@RIC.

Vote: 4 members voted in the affirmative, and 7 members voted in the negative as follows:

YEAS: Thomas Rockett, Jane Sherman, Joseph White, and Lorne Adrain

NAYS: Joan Abrams, Antonio Barajas, Amy Beretta, Tessa Constant, William Maaia, Eva-Marie Mancuso, Michael Tikoian

Chair Adrain stated the no's have it and the motion fails.

Governor Walsh recused himself from Item 12c3.

On a motion duly made by Thomas Rockett and seconded by Joseph White it was

VOTED: That the Board of Governors for Higher Education ratify the
(Item 12c4) Collective Bargaining Agreement with the CCRI/PSA.

Vote: 4 members voted in the affirmative, and 7 members
voted in the negative as follows:

YEAS: Thomas Rockett, Jane Sherman, Joseph White, and
Lorne Adrain

NAYS: Joan Abrams, Antonio Barajas, Amy Beretta, Tessa
Constant, William Maaia, Eva-Marie Mancuso, Michael
Tikoian

Chair Adrain stated the no's have it and the motion fails.

Governor Walsh recused himself from Item 12c4.

On a motion duly made by William Maaia and seconded by Antonio Barajas it was

VOTED: THAT the Board of Governors for Higher Education seal the
minutes of the executive session held this evening.

Vote: 12 members voted in the affirmative and 0 members voted
in the negative as follows:

YEAS: Lorne Adrain, Joan Abrams, Antonio Barajas, Amy Beretta,
Tessa Constant, William Maaia, Eva-Marie Mancuso,
Thomas Rockett, Jane Sherman, Michael Tikoian, John
Walsh, and Joseph White

NAYS: 0

13. NEXT MEETINGS

Monday, June 25, 2012, 5:30 p.m. at Rhode Island College, Alger Hall, Providence

Monday, August 20, 2012, 5:30 p.m. at University of Rhode Island, W. Alton Jones
Campus, West Greenwich

14. ADJOURNMENT:

On a motion duly made by Eva-Marie Mancuso and seconded by Antonio Barajas it was

VOTED:

THAT the Board of Governors for Higher Education adjourn.

Vote: 12 members voted in the affirmative, and 0 members voted in the negative as follows:

YEAS: Lorne Adrain, Joan Abrams, Antonio Barajas, Amy Beretta, Tessa Constant, William Maaia, Eva-Marie Mancuso, Thomas Rockett, Jane Sherman, Michael Tikoian, and John Walsh

NAYS: 0

The meeting was adjourned at 9:35 p.m.

Respectfully submitted,

Jane Sherman, Secretary